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SPW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Thomas J. Shaw

Serial No.: 09/617,868

Filing Date: July 17, 2000

Group: 3763

For: SYRINGE PLUNGER  
ASSEMBLY AND BARREL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

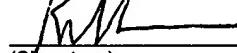
Dear Sir:

**REVISED THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In response to the Office Communication dated November 17, 2004 and a telephone call with the Examiner on December 17, 2004, Applicant submits herewith a revised Third Supplemental Information Disclosure Statement.

This submittal is made in accordance with 37 C.F.R. §§1.97 and 1.98 and §609 of the Manual of Patent Examining Procedure. More particularly, this submittal is made in accordance with 37 C.F.R. §1.97(c). The publications and other information herein are listed on the attached Form PTO/SB/08B. Copies of the listed references on Form PTO/SB/08B are submitted herewith.

Applicant hereby expressly reserves the right to swear behind the effective dates of any of the above publications and to question the relevance and materiality of the

<b>CERTIFICATE OF MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
December 17, 2004	
(Date of Mailing)	
Kristen R. Paris	
(Name of Person Mailing Document)	
	
(Signature)	

publications listed herein, in whole, in part, or in combination, subsequent to filing this third supplemental information disclosure statement.

In addition, a Power of Attorney executed by the Applicant is enclosed herewith pursuant to a telephone request made by the Examiner on December 17, 2004.

It is believed that no fee is due for the submission of this paper as the fee for the Third Supplemental Information Disclosure Statement was paid on September 15, 2004, when the document was filed. If this is incorrect, the Commissioner is hereby authorized to charge any fee due to Locke Liddell & Sapp LLP Deposit Account No. 12-1781.

Respectfully submitted,

By:



Kristen R. Paris  
Registration No. 52,092

Date: December 17, 2004

LOCKE LIDDELL & SAPP LLP  
2200 Ross Avenue, Ste. 2200  
Dallas, TX 75201-6776  
(214) 740-8678  
(214) 740-8800 (fax)



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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1

of 1

Complete if Known	
Application Number	09/617,868
Filing Date	July 17, 2000
First Named Inventor	Shaw, Thomas J.
Art Unit	3763
Examiner Name	Sirmmons, Kevin C.
Attorney Docket Number	75329/77432

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/	1	Memorandum Opinion dated March 2, 2004, Retractable Technologies, Inc. et al. v. New Medical Technology, Inc. et al., cont.	
		No. 4:02-CV-34, U.S. District Court Eastern District, Sherman Division	
/	2	Plaintiff Retractable Technologies, Inc. and Third-Party Defendant Thomas J. Shaw's Markman Brief dated February 28, 2003, cont.	
		Retractable Technologies, Inc. et al. v. New Medical Technology, Inc. et al., No. 4:02-CV-34, U.S. District Court Eastern District, Sherman Division	
/	3	Defendants' Markman Brief dated March 28, 2003, Retractable Technologies, Inc. et al. v. New Medical Technology, Inc. et al., No. 4:02-CV-34, U.S. District Court, cont.	
		Eastern District, Sherman Division	
/	4	Plaintiffs' Markman Reply Brief dated April 14, 2003, Retractable Technologies, Inc. et al. v. New Medical Technology, Inc. et al., No. 4:02-CV-34, U.S. District Court, cont.	
		Eastern District, Sherman Division	
/	5	Defendants' Final Invalidity Contentions dated April 21, 2004, Retractable Technologies, Inc. et al. v. New Medical Technology, Inc. et al., No. 4:02-CV-34, cont.	
		U.S. District Court Eastern District, Sherman Division	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.